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In re Application of:
Sandberg et al. : DECISION ON PETITION TO
Serial No.: 09/580,156 : WITHDRAW THE HOLDING
Filed: May 30, 2000 : OF ABANDONMENT
Attorney Docket No.: 97-489-US-P :
:

This is in response to applicants' petition under 37 CFR. § 1.181(a) and MPEP 711.03(c) filed on July 1, 2004, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the final Office action mailed April 14, 2003.

A review of the file history shows that the examiner mailed a final Office action to applicants on April 14, 2003, setting a three month statutory time period for reply. On May 4, 2004 the examiner mailed a notice of abandonment for failure to respond to the outstanding Office action.

Applicants state that a petition for a one month extension of time and a Request for Continued Examination (RCE) were timely filed on August 14, 2003, as evidenced by the properly executed Certificate of First Class Mailing on the reply. Applicants provide copies of relevant documents. The petition meets all of the requirements set forth in 37 CFR § 1.8. In view of this evidence, applicants are considered to have submitted a timely reply.

Applicants' petition is **GRANTED** retroactively as the case is no longer in abandoned status.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile at 703-872-9306.

Jasemine C. Chambers
Director, Technology Center 1600